

**REMARKS**

Claims 1-9 are pending in this application with claim 1 being amended and claim 9 being added.

**Rejection of claims 1-8 under 35 U.S.C. 103(a)**

Claims 1-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Knox et al., U.S. Patent No. 6,480,238 in view of Tufts, U.S. Patent No. 6,339,451.

The present claimed invention recites a method of formatting non-video data as OSD data and a method of receiving the non-video data formatted as OSD data. The method of receiving as claimed in amended claim 1 includes the non-video data formatted as OSD data includes receiving an analog video signal including non-video data formatted as OSD data. The non-video data formatted as OSD data is then detected and extracted from the analog signal. The non-video data is then processed. The method of formatting as claimed in new claim 9 includes receiving a digital video signal and converting the digital video signal to an analog video signal. A non-video data signal is provided to an OSD generator and the non-video data signal is formatted as OSD data. The OSD data is then inserted into the analog video signal and provided to an external device. The present claimed invention is not concerned with receiving and displaying an OSD image.

The present claimed invention is concerned with formatting and receiving non-video data. The non-video data is formatted as OSD data and inserted into an analog video signal. The OSD formatted non-video data is received with an analog video signal. Upon receipt, the non-video data signal is detected, extracted from the analog signal and processed. This method allows for communication of non-video data when, based upon the capabilities of the broadcast network and the digital receiver/decoder, it is not possible to include some or any of the auxiliary information in blanking intervals.

Knox et al. recites an apparatus and method for generating an OSD message. Knox et al. construct an OSD bitstream containing OSD data and an OSD header. This apparatus and method uses field doubling to reduce the memory bandwidth requirements of a decoding/displaying system. This is unlike the present claimed invention which is provided for receiving non-video data as OSD data for communication to an external device and receiving and processing the OSD data formatted as OSD data. The non-video data is formatted as OSD data and inserted into an analog video signal. Knox et al. neither disclose nor suggest "receiving an analog video signal including non-video data formatted as OSD data" as in the present claimed invention. Knox et al. is only concerned with communicating OSD video data. Knox et al. also neither disclose nor suggest "detecting the non-video data formatted as OSD data; extracting the detected non-video data from the analog signal; and processing the non-video data" as in the present claimed invention. Knox et al. only disclose generation of OSD messages and neither disclose nor suggest formatting alternate non-video data as in the present claimed invention. The present claimed invention is not concerned with OSD data but only receiving non-video data formatted as OSD data for purposes of communication when it is not possible to communicate such non-video data by conventional means such as in the blanking interval of a video signal. The present invention as claimed in claim 9 is also concerned with formatting the non-video data as OSD data for communication.

Furthermore, Knox et al. neither disclose nor suggest a method for formatting non-video data as OSD data as claimed in new claim 9. Knox et al. neither disclose nor suggest "formatting the non-video data signal as OSD data; inserting the OSD data into the analog video signal; and providing the analog signal including the non-video data signal formatted as OSD data to an external device" as claimed in new claim 9 of the present invention. As discussed above, Knox et al. are not concerned with data other than OSD data and thus neither discloses nor suggests receiving of non-video data as in the present claimed invention.

Tults recites a system for providing a graphical OSD display. Tults decodes graphical OSD images received from an auxiliary information component of a video signal. The system detects an edge in the graphical OSD image and upon detection of an edge, reproduces the OSD image with a smoothed edge. Tults is concerned with

smoothing edges found in OSD images. The OSD data being transmitted in an auxiliary information component of a video signal. This is unlike the present claimed invention which provides a solution for formatting and receiving non-video signals which cannot be transmitted in an auxiliary information component of a video signal. Tults neither discloses nor suggests "receiving an analog video signal including non-video data formatted as OSD data" as in the present claimed invention. Knox et al. is only concerned with communicating OSD video data. Similarly to Knox et al., Tults is only concerned OSD data. Tults also neither discloses nor suggests "detecting the non-video data formatted as OSD data; extracting the detected non-video data from the analog signal; and processing the non-video data" as in the present claimed invention. Tults only discloses transmission of OSD data in an auxiliary information component of a video signal and smoothing edges detected in the graphical display of the OSD image and neither disclose nor suggest generation or communication of alternate non-video data as in the present claimed invention. The present claimed invention is not concerned with OSD data but only formatting and receiving of non-video data as OSD data for purposes of communication when it is not possible to communicate such non-video data by conventional means such as in an auxiliary information component of a video signal as disclosed by Tults. Furthermore, Tults neither discloses nor suggests a method for formatting non-video data as OSD data as claimed in new claim 9. Tults neither discloses nor suggests "formatting the non-video data signal as OSD data; inserting the OSD data into the analog video signal; and providing the analog signal including the non-video data signal formatted as OSD data to an external device" as claimed in new claim 9 of the present invention. As discussed above, Tults is not concerned with data other than OSD data and thus neither discloses nor suggests receiving of non-video data as in the present claimed invention.

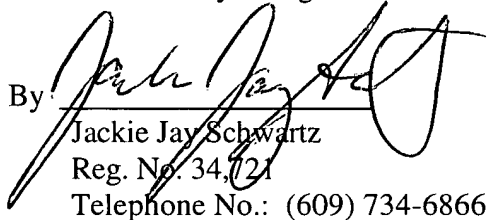
In view of the above remarks and amendments to claim 1, it is respectfully submitted that claim 1 and new claim 9 are patentable over of both Knox et al. and Tults when taken alone or in combination. Thus, withdrawal of the rejection under 35 U.S.C. 103(a) of claim 1 as amended is respectfully requested. Additionally, it is respectfully submitted that as claims 2-8 are dependent on claim 1, these claims are also patentable

for the same reasons as discussed above and withdrawal of the rejection of claims 2-8 is also requested.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if an additional fee is due, please charge the additional fee to Deposit Account 07-0832.

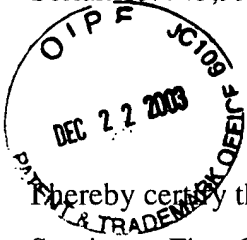
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December 18, 2003

Serial: 09/743,997

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